



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB1484

Introduced 2/6/2015, by Rep. La Shawn K. Ford

SYNOPSIS AS INTRODUCED:

105 ILCS 5/2-3.128
105 ILCS 5/13A-5
105 ILCS 5/27A-5
105 ILCS 433/10

Amends the School Code and the Vocational Academies Act. Requires alternative schools and charter schools to establish vocational academies for students in grades 10 through 12, in partnership with school districts, community colleges, local employers, and community-based organizations. Sets forth requirements concerning these academies. Permits the State Board of Education to adopt any rules necessary to implement and administer these provisions.

LRB099 05725 NHT 25769 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Sections
5 2-3.128, 13A-5, and 27A-5 as follows:

6 (105 ILCS 5/2-3.128)

7 Sec. 2-3.128. Job training program; prohibition. Except as
8 otherwise provided in subsection (b) of Section 10 of the
9 Vocational Academies Act, the ~~The~~ State Board of Education
10 shall not require a school district or a student of any
11 district to participate in any school-to-work or job training
12 program.

13 (Source: P.A. 91-175, eff. 1-1-00; 92-16, eff. 6-28-01.)

14 (105 ILCS 5/13A-5)

15 Sec. 13A-5. Alternative school program curriculum.

16 (a) The regional superintendent shall implement, or
17 contract with one or more school districts to implement, a
18 multi-disciplinary curriculum, which shall include a
19 vocational academy as provided under subsection (b) of Section
20 10 of the Vocational Academies Act and may otherwise include
21 work-based learning and community service work approved by the
22 regional superintendent of schools in consultation with the

1 State Board of Education for which academic credit is earned,
2 for the alternative school program designed to address the
3 individualized needs of the students of that program, with
4 special emphasis toward making the educational experience of
5 each student meaningful and worthwhile. In the design and
6 implementation of that curriculum, the regional superintendent
7 or school district shall give due consideration to the rules
8 and regulations adopted by the State Board of Education for
9 alternative schools and optional education programs. The
10 regional superintendent or school district (i) may contract
11 with third parties for any services otherwise performed by
12 employees and (ii) may apply for waivers or modifications of
13 mandates of this Code or of administrative rules as provided in
14 Section 2-3.25g of this Code and as are necessary for the
15 alternative school program.

16 (b) An administratively transferred student who
17 successfully completes the requirements for his or her high
18 school graduation shall receive a diploma identifying the
19 student as graduating from the transferring high school. In the
20 event the student is administratively transferred before
21 enrolling in a high school, then that student shall receive a
22 diploma from the high school the student would have attended if
23 the student had not attended an alternative school program.

24 (Source: P.A. 90-283, eff. 7-31-97; 91-318, eff. 7-29-99.)

1 Sec. 27A-5. Charter school; legal entity; requirements.

2 (a) A charter school shall be a public, nonsectarian,
3 nonreligious, non-home based, and non-profit school. A charter
4 school shall be organized and operated as a nonprofit
5 corporation or other discrete, legal, nonprofit entity
6 authorized under the laws of the State of Illinois.

7 (b) A charter school may be established under this Article
8 by creating a new school or by converting an existing public
9 school or attendance center to charter school status. Beginning
10 on the effective date of this amendatory Act of the 93rd
11 General Assembly, in all new applications to establish a
12 charter school in a city having a population exceeding 500,000,
13 operation of the charter school shall be limited to one campus.
14 The changes made to this Section by this amendatory Act of the
15 93rd General Assembly do not apply to charter schools existing
16 or approved on or before the effective date of this amendatory
17 Act.

18 (b-5) In this subsection (b-5), "virtual-schooling" means
19 a cyber school where students engage in online curriculum and
20 instruction via the Internet and electronic communication with
21 their teachers at remote locations and with students
22 participating at different times.

23 From April 1, 2013 through December 31, 2016, there is a
24 moratorium on the establishment of charter schools with
25 virtual-schooling components in school districts other than a
26 school district organized under Article 34 of this Code. This

1 moratorium does not apply to a charter school with
2 virtual-schooling components existing or approved prior to
3 April 1, 2013 or to the renewal of the charter of a charter
4 school with virtual-schooling components already approved
5 prior to April 1, 2013.

6 On or before March 1, 2014, the Commission shall submit to
7 the General Assembly a report on the effect of
8 virtual-schooling, including without limitation the effect on
9 student performance, the costs associated with
10 virtual-schooling, and issues with oversight. The report shall
11 include policy recommendations for virtual-schooling.

12 (c) A charter school shall be administered and governed by
13 its board of directors or other governing body in the manner
14 provided in its charter. The governing body of a charter school
15 shall be subject to the Freedom of Information Act and the Open
16 Meetings Act.

17 (d) A charter school shall comply with all applicable
18 health and safety requirements applicable to public schools
19 under the laws of the State of Illinois.

20 (e) Except as otherwise provided in the School Code, a
21 charter school shall not charge tuition; provided that a
22 charter school may charge reasonable fees for textbooks,
23 instructional materials, and student activities.

24 (f) A charter school shall be responsible for the
25 management and operation of its fiscal affairs including, but
26 not limited to, the preparation of its budget. An audit of each

1 charter school's finances shall be conducted annually by an
2 outside, independent contractor retained by the charter
3 school. To ensure financial accountability for the use of
4 public funds, on or before December 1 of every year of
5 operation, each charter school shall submit to its authorizer
6 and the State Board a copy of its audit and a copy of the Form
7 990 the charter school filed that year with the federal
8 Internal Revenue Service. In addition, if deemed necessary for
9 proper financial oversight of the charter school, an authorizer
10 may require quarterly financial statements from each charter
11 school.

12 (g) A charter school shall comply with all provisions of
13 this Article; the Illinois Educational Labor Relations Act; all
14 federal and State laws and rules applicable to public schools
15 that pertain to special education and the instruction of
16 English language learners, referred to in this Code as
17 "children of limited English-speaking ability"; and its
18 charter. A charter school is exempt from all other State laws
19 and regulations ~~in this Code~~ governing public schools and local
20 school board policies, except the following:

21 (1) Sections 10-21.9 and 34-18.5 of this Code regarding
22 criminal history records checks and checks of the Statewide
23 Sex Offender Database and Statewide Murderer and Violent
24 Offender Against Youth Database of applicants for
25 employment;

26 (2) Sections 24-24 and 34-84A of this Code regarding

1 discipline of students;

2 (3) the Local Governmental and Governmental Employees
3 Tort Immunity Act;

4 (4) Section 108.75 of the General Not For Profit
5 Corporation Act of 1986 regarding indemnification of
6 officers, directors, employees, and agents;

7 (5) the Abused and Neglected Child Reporting Act;

8 (6) the Illinois School Student Records Act;

9 (7) Section 10-17a of this Code regarding school report
10 cards;

11 (8) the P-20 Longitudinal Education Data System Act;

12 ~~and~~

13 (9) Section 27-23.7 of this Code regarding bullying
14 prevention;~~;~~

15 (10) ~~(9)~~ Section 2-3.162 ~~2-3.160~~ of this ~~the School~~
16 Code regarding student discipline reporting; and~~;~~

17 (11) the Vocational Academies Act.

18 The change made by Public Act 96-104 to this subsection (g)
19 is declaratory of existing law.

20 (h) A charter school may negotiate and contract with a
21 school district, the governing body of a State college or
22 university or public community college, or any other public or
23 for-profit or nonprofit private entity for: (i) the use of a
24 school building and grounds or any other real property or
25 facilities that the charter school desires to use or convert
26 for use as a charter school site, (ii) the operation and

1 maintenance thereof, and (iii) the provision of any service,
2 activity, or undertaking that the charter school is required to
3 perform in order to carry out the terms of its charter.
4 However, a charter school that is established on or after the
5 effective date of this amendatory Act of the 93rd General
6 Assembly and that operates in a city having a population
7 exceeding 500,000 may not contract with a for-profit entity to
8 manage or operate the school during the period that commences
9 on the effective date of this amendatory Act of the 93rd
10 General Assembly and concludes at the end of the 2004-2005
11 school year. Except as provided in subsection (i) of this
12 Section, a school district may charge a charter school
13 reasonable rent for the use of the district's buildings,
14 grounds, and facilities. Any services for which a charter
15 school contracts with a school district shall be provided by
16 the district at cost. Any services for which a charter school
17 contracts with a local school board or with the governing body
18 of a State college or university or public community college
19 shall be provided by the public entity at cost.

20 (i) In no event shall a charter school that is established
21 by converting an existing school or attendance center to
22 charter school status be required to pay rent for space that is
23 deemed available, as negotiated and provided in the charter
24 agreement, in school district facilities. However, all other
25 costs for the operation and maintenance of school district
26 facilities that are used by the charter school shall be subject

1 to negotiation between the charter school and the local school
2 board and shall be set forth in the charter.

3 (j) A charter school may limit student enrollment by age or
4 grade level.

5 (k) If the charter school is approved by the Commission,
6 then the Commission charter school is its own local education
7 agency.

8 (Source: P.A. 97-152, eff. 7-20-11; 97-154, eff. 1-1-12;
9 97-813, eff. 7-13-12; 98-16, eff. 5-24-13; 98-639, eff. 6-9-14;
10 98-669, eff. 6-26-14; 98-739, eff. 7-16-14; 98-783, eff.
11 1-1-15; 98-1059, eff. 8-26-14; 98-1102, eff. 8-26-14; revised
12 10-14-14.)

13 Section 10. The Vocational Academies Act is amended by
14 changing Section 10 as follows:

15 (105 ILCS 433/10)

16 Sec. 10. Establishment.

17 (a) A school district, in partnership with community
18 colleges, local employers, and community-based organizations,
19 may establish a vocational academy that is eligible for a grant
20 under this Act if the vocational academy meets all of the
21 following requirements:

22 (1) The vocational academy must have a minimum
23 5-clock-hour day and be under the direct supervision of
24 teachers.

1 (2) The vocational academy must be a 2-year school
2 within a school program for grades 10 through 12 that is
3 organized around a career theme and operated as a
4 business-education partnership.

5 (3) The vocational academy must be a career-oriented
6 program that uses the direct involvement of local employers
7 to provide students with an education and the skills needed
8 for employment.

9 (4) The vocational academy must be a standards-based
10 educational program that prepares students both
11 academically and technically for entrance into
12 postsecondary education or careers in a selected field.

13 (5) The curriculum of the vocational academy must be
14 based on the Illinois Learning Standards, and work-site
15 training must provide students with learning experiences
16 for entry-level employment in the local job market and
17 lifelong learning skills for higher education.

18 (b) Beginning with the 2016-2017 school year, alternative
19 schools established under Article 13A of the School Code and
20 charter schools established under Article 27A of the School
21 Code shall establish vocational academies for students in
22 grades 10 through 12, in partnership with school districts,
23 community colleges, local employers, and community-based
24 organizations. A vocational academy established under this
25 subsection (b) must meet all of the requirements set forth in
26 subsection (a) of this Section. More than one vocational

1 academy may be established within the same school. With respect
2 to charter schools, the school board of the school district
3 where the charter school is located shall select the career
4 theme for the vocational academy.

5 Students of the alternative or charter school enrolled in
6 grades 10 through 12 must participate in the vocational academy
7 program established under this subsection (b). The alternative
8 or charter school may require a participant to meet
9 occupational standards for grade level promotion or
10 graduation. A student who successfully completes the
11 vocational academy program shall receive a certificate,
12 developed by the State Board of Education, indicating the type
13 of training he or she has received.

14 The State Board of Education may adopt any rules necessary
15 to implement and administer this subsection (b).

16 (Source: P.A. 94-220, eff. 7-14-05.)